

From: Mark D. Gregory
To: Microsoft ATR
Date: 11/18/01 4:36pm
Subject: It's about time

It's about time this case was settled. I've been a Microsoft customer for 20+ years. I've sold Microsoft products. I've sold products that competed with Microsoft products. I've worked at Microsoft. I've worked at competitors of Microsoft. I've programmed in Microsoft's environment as well as other OSs. I'm also a Microsoft stockholder. At no time in all that time have I felt that Microsoft dealt with me in anything less than a professional and appropriate business manner. Have they been aggressive? Absolutely. Have they violated any law in those dealings? I don't think so. Admittedly, a monopolist has different standards to live up to, but unless the monopoly is obtained illegally or until a company KNOWS that it falls under the monopoly statutes, that behavior is not illegal.

But, as I understand the laws on monopoly, the intent of those laws is to protect the consumer. Not competitors, not other companies, consumers. So, has Microsoft restrained competitors who would have brought better products to market? I don't think so. As an MS employee I used the Netscape browser for quite some time - it was a better product. Once IE became the better product, I started using it instead. Could I have continued to use Netscape? Of course. I chose not to. How do I feel about having the browser imbedded? I'm extremely pleased. It's much easier to use that way, and it costs me less. I'm also not displeased to have Instant Messaging, music components or any of the other new things in Windows XP. If I wanted to use a competing product, I've got internet access built into my OS so finding the competing product is very easy and fast. Did Microsoft charge me too much? Not at all - if anything, they've driven the cost of quality software down, and then have NOT driven it back up. I'm convinced that this suit was prompted by Microsoft's rivals, who have proven themselves unable to compete on the merits of their products and therefore chose to use the courts to try to tilt the field in their direction- and manipulated the government into doing it for them.

So, you got the court to declare them a monopoly. They probably are, though I still am not totally convinced that the market definition for their marketplace was correctly set.

In any case, I've read the proposed settlement and I believe it's fair to all parties involved. Microsoft is to be kept from business practices that are considered predatory from a monopolist. They're required to reveal their APIs (I've always thought they did - I've never needed one I couldn't find, or for that matter one that was there but hidden). They have the right to upgrade their products - after all, how do you improve a product if you can't add features? Even a monopolist needs to have that right.

I think that the court should enter into this agreement with no reservations and I also think that the court should impose the same settlement on the states that have refused to settle.

Respectfully

Mark D. Gregory
2324 SE 5th Way
Meridian, ID 83642